

# **EXHIBIT H**

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS  
CDC 128G (Rev. 12/91)

NO: D-16530 NAME: SHAMBURGER, Harold D10-201  
 Custody: MAX S CS: 125 (IV) D1/D EFF 6/7/89 Assignment: SHU/INDET  
 RelDate: MEPD 2/12/99 Reclass: 4/2004 Action: RETAIN SHU/INDET; REFER CSR RX PBSP SHU  
 BPT SUB #2 7/2006

Inmate Shamburger refused to appear before PBSP FAC-D SHU ICC on this date for Annual/114D Review. No staff assistant was assigned as S is not illiterate, speaks English, can comprehend the issues, and is free of mental health services needs. An investigative employee was not required. Prior to Committee, S was issued an updated copy of his CDC 114D dated 10/15/03, and the CDC 812A, Notice of Critical Case Information - Prison Gang Identification, updated by IGI on 10/8/03. Committee notes a CDC 128-B2 dated 8/26/95, citing 10 documents that meet prison gang validation requirements. S is affiliated with a prison gang that is known to be involved in criminal activities which threaten the safety of others and institution security, and this requires continued segregation from the GP. S is informed, via this chrono, that the Departmentally recognized avenues for release from SHU are through the debriefing process or through being determined to be an inactive prison gang member or associate as delineated in CCR, Title 15, Sections 3378(e) and 3341.5(c)(4)(5). C-file reflects IGI completed an Active/Inactive Review on 2/2/00. S does not meet criteria for inactive status as outlined in CCR, Title 15, Section 3378(e) and is eligible for another review in 2004. Committee acts to retain SHU/INDET and refer to CSR with recommendation for PBSP SHU based on his validation as an active member of the "Black Guerrilla Family (BGF)" prison gang. DDP Review: Not required. S has no cellmate, and Committee notes the "S" custody suffix has previously been applied. Committee acts to retain the "S" suffix because S has not successfully completed the compatibility review for double celling in PBSP SHU. S is advised, via this chrono, of Committee's decision and his right to appeal. BPT Subsequent #2 Hearing scheduled in 7/2006. Next reclass scheduled in 4/2004, for 180-Day Review. FOLLOW-UP ON LAST CSR ENDORSEMENT IS DOCUMENTED ON 128B DATED 1-15-03 #1 Referral Reasons valid 1-14-02 BY REN, CCF

CHAIRPERSON: B. O'NEILL/AW

M. FOSS/FC(A)

D. COSTILOE/LCSW

RECORDER: G. ATER/CCII

CC:  OBIS  CSR  IGI  PSYCH  MED  C&PR  OTHER \_\_\_\_\_  
 Committee Date: 10/22/03 (PEÑA/jw) *[Signature]* Classification

FAC-D ICC/REVIEW

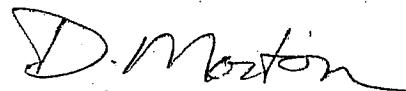
Inst: PBSP

No. D-16530

NAME: SHAMBURGER

*Comment:* PBSP-SHU endorsed to serve an Indeterminate SHU term. CS = 125.

SHU Indeterminate retention endorsed per ICC action of 10/22/03. Inmate remains a threat to the security of the institution by his continuing association with a prison gang engaged in a criminal conspiracy against the safety of others. CDC 128-B-2 of 8/26/95 is noted. All referenced documents are present in the file, properly annotated and properly disclosed. LIFE Prisoner Status is noted. Next BPT hearing currently scheduled for 7/2006. Madrid chrono of 4/4/01 noted. Violent history noted (VIO). TB Code is 32. CDC 812 is noted. Confidential file is noted.



D. Morton, CSR

Date: 11/19/2003

Classification - CSR ACTION

PBSP